

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

NETLIST, INC.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD., et al.,

Defendants.

Civil No. 2:22-cv-00293-JRG  
(Lead Case)

**JURY TRIAL DEMANDED**

**SAMSUNG’S UNOPPOSED MOTION FOR EXPEDITED BRIEFING  
SCHEDULE ON ITS MOTION TO STRIKE NETLIST’S BELATED  
DISCLOSURES, INCLUDING: (1) THE OCT. 30, 2024 AMENDED EXHIBITS  
OF MR. DAVID KENNEDY; AND (2) NETLIST’S THIRD SUPPLEMENTAL  
DEPOSITION DESIGNATIONS AND ITS MOTION FOR LEAVE TO SERVE AND  
FILE DEPOSITION DESIGNATIONS FOR DR. ANDREAS GROEHN OUT OF TIME**

Pursuant to Local Rule CV-7(e), Samsung respectfully files this Motion To Expedite Briefing on its Motion To Strike Netlist’s Belated Disclosures, Including: (1) the Oct. 30, 2024 Amended Exhibits of Mr. David Kennedy and (2) Netlist’s Third Supplemental Deposition Designations; as well as its Motion For Leave To Serve and File Deposition Designations for Dr. Andreas Groehn Out of Time. Samsung filed both motions concurrently with this motion to expedite, on November 1, 2024, and Samsung requests that Netlist’s responses be due on November 5, 2024, at 12:00 pm CT, so that both motions can be fully briefed and resolved prior to trial, which is scheduled for jury selection on November 12, 2024.

Dated: November 1, 2024

Respectfully submitted,

By: /s/ Katherine H. Reardon

Melissa Richards Smith  
melissa@gillamsmith.com  
GILLAM & SMITH, LLP  
303 South Washington Ave.  
Marshall, Texas 75670  
Telephone: (903) 934-8450  
Facsimile: (903) 934-9257

J. Travis Underwood  
Texas Bar No. 24102587  
travis@gillamsmithlaw.com  
GILLAM & SMITH, LLP  
102 North College Avenue, Suite 800  
Tyler, Texas 75702  
Telephone: (903) 934-8450  
Facsimile: (903) 934-9257

Brian R. Nester  
DC Bar No. 460225  
bnester@cov.com  
COVINGTON & BURLING LLP  
One CityCenter 850 Tenth Street, N  
Washington, DC 20001-4956  
Telephone: (202)-662-6000

Alice J. Ahn  
CA Bar No. 271399/DC Bar No. 1004350  
aahn@cov.com  
COVINGTON & BURLING LLP  
415 Mission Street, Suite 5400  
San Francisco, CA 94105  
Telephone: (415) 591-7091  
Facsimile: (415) 955-6571

Ruffin B. Cordell  
TX Bar No. 04820550  
cordell@fr.com  
Michael J. McKeon  
D.C. Bar No. 459780  
mckeon@fr.com  
Lauren A. Degnan  
D.C. Bar No. 452421  
degnan@fr.com  
Daniel A. Tishman  
DC Bar No. 1013923  
tishman@fr.com  
FISH & RICHARDSON P.C.  
1000 Maine Avenue, SW  
Washington, DC 20024  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331

Francis J. Albert  
CA Bar No. 247741  
albert@fr.com  
FISH & RICHARDSON P.C.  
12860 El Camino Real, Ste. 400  
San Diego, CA 92130  
Telephone: (858) 678-5070  
Facsimile: (858) 678-5099

Thomas H. Reger II  
reger@fr.com  
Texas Bar No. 24032992  
FISH & RICHARDSON P.C.  
1717 Main Street, Suite 5000  
Dallas, Texas 75201  
Telephone: (214) 747-5070  
Facsimile: (214) 747-2091

*Attorneys for Defendants Samsung Electronics Co., Ltd.;  
Samsung Electronics America, Inc.; and Samsung Semiconductor, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on November 1, 2024. As of this date, all counsel of record have consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A) and via electronic mail.

/s/ Katherine H. Reardon

**CERTIFICATE OF CONFERENCE**

Pursuant to Local Rules CV-7(h) and (i), counsel for the parties met and conferred on October 31, 2024. Jennifer Truelove attended for Plaintiff. Melissa Smith attended for Defendants. The parties discussed their positions on this motion. Counsel for Plaintiff indicated that Plaintiff does not oppose this motion to expedite.

/s/ Katherine H. Reardon